

STANDING COMMITTEE ON CYBERSPACE LAW
Business Law Section, State Bar of California

Minutes of Meeting

A meeting of the Cyberspace Committee of the Business Law Section, State Bar of California was held at 10:00 a.m. on November 10, 2006 in the San Francisco offices of the State Bar of California, 180 Howard St., San Francisco, CA and by teleconference.

Members attending were Matt Cooney, Michael Dergosits, Francoise Gilbert, Eric Goldman, Rob Hale, Sue Krennek, Winston Krone, Denise Olich, Kristie Prinz, Jim Snell, David Tollen and Konrad Trope.

Also attending were Executive Committee Liaison Dan Appelman and Special Advisors, Marla Hoehn, Val Hornstein, Denis Rice, Mike Stern, and Maureen Young.

Denise Olich, Chair, presided. David Tollen, Vice Chair, was appointed temporary Secretary.

I. Membership

Denise Olich welcomed the Committee members, advisory members, and constituents. The attendees each provided a brief self-introduction, describing their practice location and type, as well as their interest in the Committee.

The Committee discussed membership in general, including plans to approach members of the judiciary. Currently, two of the Committee's eighteen seats are open.

In addition, the Committee discussed updating the membership roster and matrix, which Denise has circulated. Members should send Denise profile updates and may include photos. This will lead to an update of the membership roster on the Committee's Website.

Francoise Gilbert pointed out that the Bar's membership matrix requests information about age and race, and that some might find that offensive or at least unnecessary. Dan will explore the issue with the Executive Committee.

II. Programs

SEI: The Committee has been asked to present *The Hottest Issues in Cyberspace* at the Section Education Institute ("SEI") on January 20, 2007, in Berkeley. The Committee discussed potential speakers and topics. The latter include various privacy issues, cyberspace-related IP developments, and tips for practitioners advertising or otherwise working online. David Tollen will coordinate a meeting of the interested speakers.

Monterey: The Committee thanks the members who presented *The Hottest Issues in Cyberspace* to the Bar annual conference in Monterey this year: Konrad Trope, Rob Hale, Denise Olrich, and Kristie Prinz. Konrad will present his VOIP presentation to the Committee at the February meeting, possibly with assistance from Rob on wifi issues.

USF Law Review Fall Symposium: Companies Caught in the Middle: Legal Responses to Government Requests for Information: Denise Olrich reported on the Cyberspace's October 27, 2006 joint program with the University of San Francisco Law School. The program was successful, but the Committee contributed little other than its name. That's because, for reasons that are not clear, transmission of the Committee's announcement to the constituency list, sent via the BLS executive offices, was delayed for 3 weeks.

III. Subcommittees

Leg/Reg: Sue Krenek and Bennett Kelly will serve as co-chairs, with Sue taking the lead on federal legislation and Bennett on state. Maureen Young volunteered to coordinate the Committee's 2007 legislation day event in Sacramento.

Constituent Committee: Matt Cooney and Michael Dergosits co-chair the subcommittee, taking the lead on revising the Committee's Website.

E-commerce / Privacy: Francoise Gilbert and Rudy Guyon will co-chair the subcommittee. Maureen will speak on pretexting at the subcommittee's November 30 meeting. The subcommittee's areas of interest will include issues surrounding user-generated content.

Telecom & IP: Kristie Prinz and Konrad Trope will co-chair the subcommittee.

Speakers: Val Hornstein and Rob Hale

Sacramento Day: Maureen Young

IV. Liaisons to Other Committees

Executive Committee of the Business Law Section ("BLS"): Dan Appelman will continue to serve as liaison.

Corporate Law Departments Committee of the BLS: David Tollen will serve as liaison.

Cyberspace Committee of the Intellectual Property Section: Kristie Prinz will investigate the possibility of exchanging liaisons.

Cyberspace Committee of the American Bar Association: Kristie Prinz and

Konrad Trope will serve as liaisons.

V. Constituency Communications

Denise Olrich expressed an interest in expanding the Committee's constituency list from 400 to over 1,000. The Committee discussed asking other committees for access to their lists when we engage in joint activities.

Denise also raised the idea of providing e-briefs and other legal updates to the constituency list. The Committee discussed the possibility of a blog or of aggregating the members' various writings into a newsletter. Kristie Prinz, Eric Goldman, and Konrad Trope and Denise Olrich will explore this issue and consider creation of a subcommittee.

The meeting was concluded at approximately 12:30 p.m.

Next Meeting. The next meeting of the Committee will be at 10:00 a.m. on Thursday, January 11, 2007 at the Palo Alto offices of Bingham McCutchen, LLP.